



TE MATO AKAMOEAO, OFFICE OF THE OMBUDSMAN  
COOK ISLANDS


# 10<sup>th</sup> World Conference of the International Ombudsman Institute

“Introducing Freedom of  
Information in small states with  
geographical challenges”




Tikaranga ki te Kura


# Introduction

- ▶ First and smallest Pacific Island jurisdiction to implement an FOI regime
  - ▶ Passed on 18 February 2008, amended in 2009 to allow a staggered approach across the public sector in 3 monthly intervals
  - ▶ Objective of the FOI regime is to enhance good governance in promoting more participatory development and more effective governance
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# The Cook Islands

- ▶ Population of 13,500
  - ▶ Consist of 15 islands (13 inhabited)
  - ▶ Scattered over 2 million square km of the Pacific Ocean
  - ▶ Lies in the centre of the Polynesian triangle, flanked to the west by Tonga and Samoa and to the east by Tahiti and the islands of French Polynesia
  - ▶ Consist of the northern and southern group
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# Background

- ▶ FOI concept introduced by Cook Islands Broadcasting Corporation Board in 2004–media driven
  - ▶ Cook Islands Democratic party manifesto in the 2006 general elections
  - ▶ Budget Policy statement, National Sustainable Development Plan
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# Challenges: pre-legislation

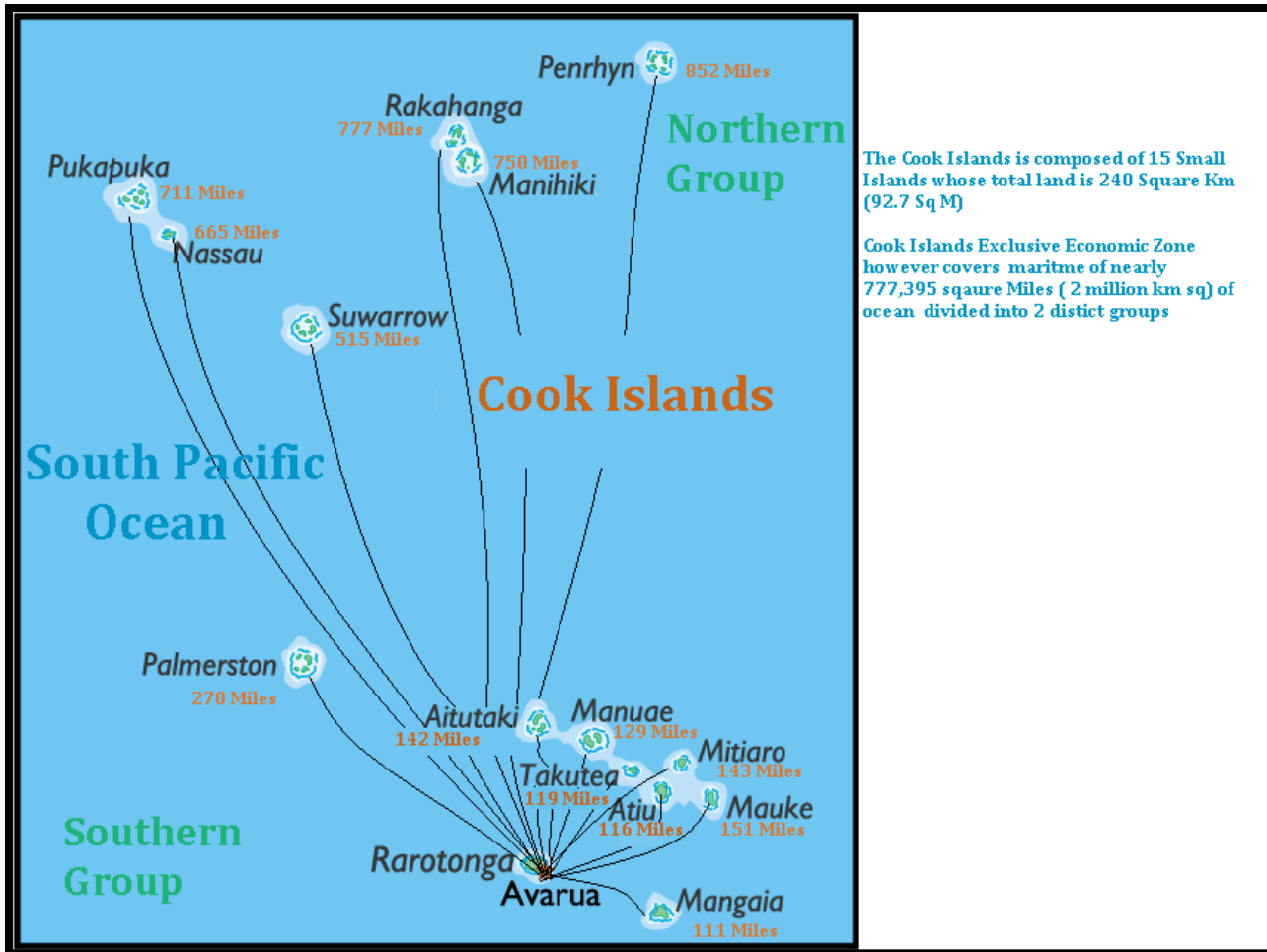
- ▶ “The public wouldn’t know what to do with it”
  - ▶ “They won’t understand it”
  - ▶ “Just let us get on with our jobs”
  - ▶ Perceived as media driven – Heads of Ministries were suspicious of the media
  - ▶ Changing a culture of secrecy to one of openness.
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Information, or more precisely the ability to access such information in a timely manner, is essential to the ability of individuals to participate effectively in decision making that affects them.

Promoting accountability, transparency and effective participation requires more than simply disclosing final decisions after they have been made. In order to influence the actions of the Executive and public sector ministries as well as holding them to account, requires adequate and timely disclosure of information throughout policy and decision making processes. Information about what is being proposed, the reasons why it has been proposed and any policy assumptions or guidelines which are influencing the consideration of proposals, are equally important if accountability, transparency and effective participation are to be realized - *OI Bill explanatory note 27 November 2007*

# Challenges: implementation

- ▶ Geographic disparity of islands
  - ▶ Poor record keeping practices
  - ▶ Austerity measures has seen a decrease in resource allocations.
  - ▶ Change in administrations – change in national priorities
  - ▶ Success of regime depends on the Ministry's ability to comply with the Act, and citizens testing the system
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The Cook Islands is composed of 15 Small Islands whose total land is 240 Square Km (92.7 Sq M)

Cook Islands Exclusive Economic Zone however covers maritime of nearly 777,395 square Miles ( 2 million km sq) of ocean divided into 2 distinct groups



# Challenges continued

- ▶ Mobility of trained people often affects continuity of processes within agencies
  - ▶ Changes in administration – change in national priorities
  - ▶ OIA training programs undertaken when resources become available
  - ▶ Access of digital information not always available in far flung islands
  - ▶ Public not “complainers” by nature
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# The Way Forward

- ▶ Continue to support both ministries, the public and media with inquiries about their rights
- ▶ Continue to offer support via our training materials and resources
- ▶ Training for Members of Parliament & Heads of Ministries
- ▶ Training session for the media
- ▶ Ongoing training session for public servants
- ▶ Continue to strengthen relationships and networks (internal & external)

# Thank you

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